

**HAWAII STATE**

**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2012**

***ROUGH DRAFT  
JOURNAL***

**TWENTY-EIGHTH DAY**

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**OFFICE OF THE CHIEF CLERK**

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## TWENTY-EIGHTH DAY

Friday, March 09, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:03 o'clock p.m., with Speaker Say presiding.

The invocation was delivered by Dr. Stephen Kalani Brady of the John A. Burns School of Medicine, after which the Roll was called showing all Members present with the exception of Representatives Awana, Thielen and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Sixth and Twenty-Seventh Days was deferred.

## SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 416) was received and announced by the Clerk:

Sen. Com. No. 416, transmitting H.B. No. 2096, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on March 8, 2012.

## INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Hashem introduced his young friend, Mr. James Futrell.

Representative Takumi, on behalf of Representative Takai and himself introduced students from Pearl City Elementary: Miss Alycia Pasion, Miss Iris Ponce, Miss Naomi Reupena-Tuaiao, Miss Jessica Miller and Miss Jasmin Nagasawa; and teacher, Mr. Russell Minobe.

## ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 65) was announced by the Clerk and the following action taken:

H.R. No. 65, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING PLANNED PARENTHOOD OF HAWAII FOR ITS UNWAVERING SUPPORT OF THE PEOPLE OF HAWAII," was jointly offered by Representatives M. Lee and Ichiyama.

Representative M. Lee moved that H.R. No. 65, be adopted, seconded by Representative Ichiyama.

Representative M. Lee described the poverty experienced by Margaret Sanger as a nurse which led her to establish America's first family planning clinic in Brooklyn, New York in 1916 with the help of her sister, Ethel Byrne.

Representative Ichiyama commended Planned Parenthood of Hawaii for 45 years of advocating for the protection of women's reproductive rights and providing a full spectrum of reproductive health care services.

Representative Ichiyama then introduced the honorees representing Planned Parenthood of Hawaii, who were seated on the Floor of the House:

Ms. Andrea Anderson, Chief Executive Officer for Planned Parenthood of Hawaii;

Ms. Bette Takahashi, former President and Board of Directors member of Planned Parenthood of Hawaii;

Dr. Ann Rahall, Medical Director, Planned Parenthood of Hawaii;

Ms. Sheila O'Keefe, Director of Development, Planned Parenthood of Hawaii; and

Ms. Katie Polidoro, Director of Public Affairs and Government Relations, Planned Parenthood of Hawaii.

Representative Evans applauded Planned Parenthood of Hawaii for their commitment to providing women of all ages with reproductive and health information allowing them to make free and informed choices.

Representative Wooley thanked Planned Parenthood of Hawaii for their courage and bravery in the fight to protect women's rights.

Representative C. Lee also rose to offer his support to Planned Parenthood of Hawaii.

Representative M. Lee then introduced friends and supporters seated in the Gallery:

Ms. Amy Monk, Board Member, Planned Parenthood of Hawaii;  
Ms. Cathy Betts, Executive Director, Hawaii State Commission on the Status of Women;  
Ms. Carmille Lim, Hawaii State Commission on the Status of Women;  
Ms. Laurie Temple, ACLU;  
Ms. Ann Freed, Democratic Women's Caucus; and  
Ms. Allicyn Hikida Tasaka, Office of the Governor.

The motion was put to vote by the Chair and carried, and H.R. No. 65, was adopted, with Representatives Fontaine, Pine, Thielen and Ward being excused.

At 12:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:29 o'clock p.m.

## REPORTS OF STANDING COMMITTEES

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 964-12) recommending that H.B. No. 1800, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 964-12 on H.B. No. 1800, HD 2, was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1800, HD 2, were made available to the Members of the House.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 965-12) recommending that H.B. No. 2012, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Chong moved that the report of the Committee be adopted, and that H.B. No. 2012, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure, stating:

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"Thank you, Mr. Speaker. In strong support, and I'd like to reserve my comments for Third Reading."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2012, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Chang, Thielen and Ward being excused.

### INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 59 through 64) and concurrent resolutions (H.C.R. Nos. 85 through 92) were referred to Printing and further action was deferred:

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Hanohano.

H.R. No. 60, entitled: "HOUSE RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was offered by Representative Hanohano.

H.R. No. 61, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES TO RECOGNIZE THE RECOVERY OF HAWAIIAN GREEN SEA TURTLES AND BEGIN ACTIVE MANAGEMENT OF THIS IMPORTANT SPECIES," was offered by Representative Hanohano.

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was offered by Representative Hanohano.

H.R. No. 63, entitled: "HOUSE RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO CREATE A STATE CAPITOL MEMORIAL TO HONOR THE VETERANS OF THE PERSIAN GULF WAR, OPERATION DESERT STORM, OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION NEW DAWN," was jointly offered by Representatives Takai, Aquino and Cullen.

H.R. No. 64, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was jointly offered by Representatives Cullen, Aquino, Brower, Cabanilla, Fontaine, Ichiyama, Kawakami, M. Lee, Marumoto, McKelvey, Morikawa, Riviere, Say, Takumi, Ward, Yamane, Yamashita and Johanson.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO COMPLY IN FULL WITH THE FINDINGS AND RECOMMENDATIONS OF THE OFFICE OF THE AUDITOR'S MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S HAWAIIAN STUDIES PROGRAM," was offered by Representative Hanohano.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE OF HAWAII TO RECOGNIZE MOKAUEA ISLAND AS A CULTURAL AND EDUCATIONAL RESOURCE AND INCLUDE MOKAUEA ISLAND ON THE REGISTER OF HISTORIC PLACES," was offered by Representative Hanohano.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES TO RECOGNIZE THE RECOVERY OF HAWAIIAN GREEN SEA TURTLES AND BEGIN ACTIVE MANAGEMENT OF THIS IMPORTANT SPECIES," was offered by Representative Hanohano.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REVIEW THE NATURAL RESOURCES' MARINE MANAGEMENT RULES, CONDUCT NEW PUBLIC HEARINGS ON THE RULES, CONSULT WITH NATIVE HAWAIIAN PEOPLE, AND DETERMINE THE RELEVANCE AND APPLICABILITY OF THE RULES TO PLACE-BASED MANAGEMENT FOR PURPOSES OF ENHANCING VOLUNTARY COMPLIANCE AND PUBLIC PARTICIPATION IN MARINE RESOURCE MANAGEMENT," was offered by Representative Hanohano.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO APPLY FOR A CHOICE NEIGHBORHOODS GRANT," was offered by Representative Cabanilla.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ENTER INTO PUBLIC-PRIVATE PARTNERSHIPS TO MODERNIZE DILAPIDATED FEDERAL PUBLIC HOUSING PROJECTS," was offered by Representative Cabanilla.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEVELOPMENT OF A PLAN TO CREATE A STATE CAPITOL MEMORIAL TO HONOR THE VETERANS OF THE PERSIAN GULF WAR, OPERATION DESERT STORM, OPERATION IRAQI FREEDOM, OPERATION ENDURING FREEDOM, AND OPERATION NEW DAWN," was jointly offered by Representatives Takai, Aquino and Cullen.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO ADOPT THE VETERANS REMEMBERED FLAG," was jointly offered by Representatives Cullen, Aquino, Brower, Cabanilla, Fontaine, Ichiyama, Kawakami, Marumoto, McKelvey, Morikawa, Riviere, Say, Takumi, Ward, Yamane, Yamashita, Johanson and M. Lee.

### ANNOUNCEMENTS

Representative Herkes: "Thank you Mr. Speaker, and I'm pleased to announce that starting tomorrow, the mobile medical van will be in service. I've only been working on this for 8 years, and what it will do is it will bring basic clinical service to the rural areas of South Kona and Ka'u, and keep people out of emergency rooms. With tele-medicine it can go into a place like Milolii and bring basic medical service to people there. We still need to add remote dispensing of pharmaceuticals, but I'm very, very pleased that we're finally going to get this done. Thank you, Mr. Speaker."

### LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Ching introduced her former Office Manager Ms. Elisa Anderson and her friend from Lisbon, Portugal, Mr. Ricardo Roque.

**COMMITTEE ASSIGNMENTS**

The following measures were referred to committee by the Speaker:

**H.R.**  
**Nos.**

**Referred to:**

- 53 Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then to the Committee on Finance
- 54 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Health
- 55 Jointly to the Committee on International Affairs and the Committee on Tourism
- 56 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 57 Committee on Housing, then to the Committee on Finance
- 58 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 59 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance
- 60 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 61 Committee on Water, Land, & Ocean Resources
- 62 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
- 63 Committee on Public Safety & Military Affairs, then to the Committee on Finance
- 64 Committee on Public Safety & Military Affairs

**H.C.R.**  
**Nos.**

**Referred to:**

- 75 Jointly to the Committee on Economic Revitalization & Business and the Committee on Tourism, then to the Committee on Finance
- 76 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Health
- 77 Committee on Economic Revitalization & Business, then to the Committee on Finance
- 78 Committee on Public Safety & Military Affairs, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
- 79 Committee on Education, then to the Committee on Finance
- 80 Committee on Education, then to the Committee on Finance
- 81 Committee on Education, then to the Committee on Finance
- 82 Committee on Housing, then to the Committee on Finance

83 Jointly to the Committee on Agriculture and the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

84 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary

85 Committee on Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

86 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

87 Committee on Water, Land, & Ocean Resources

88 Committee on Hawaiian Affairs, then to the Committee on Water, Land, & Ocean Resources, then to the Committee on Finance

89 Committee on Housing, then to the Committee on Finance

90 Committee on Housing, then to the Committee on Finance

91 Committee on Public Safety & Military Affairs, then to the Committee on Finance

92 Committee on Public Safety & Military Affairs

**S.B.**  
**Nos.**

**Referred to:**

- 2234, SD2 Committee on Economic Revitalization & Business, then to the Committee on Judiciary, then to the Committee on Finance
- 2375, SD3 Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business, then to the Committee on Water, Land, & Ocean Resources
- 2792, SD3 Committee on Hawaiian Affairs, then jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Finance
- 2923, SD3 Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary, then to the Committee on Finance

**S.C.R.**  
**No.**

**Referred to:**

- 52, SD1 Committee on Housing

**COMMITTEE REASSIGNMENTS**

The following measures were re-referred to committee by the Speaker:

**S.B.**  
**Nos.**

**Re-referred to:**

- 2245, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
- 2424, SD2 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Revitalization & Business, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

**ADJOURNMENT**

At 12:33 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, March 12, 2012. (Representatives Chang, Thielen and Ward were excused.)